

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

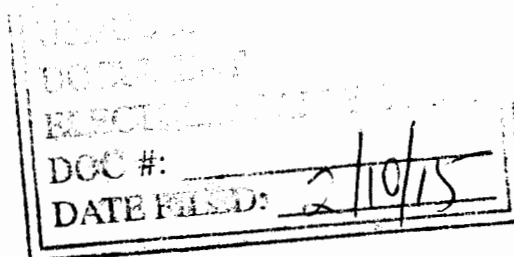
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GAETANO D'ATTORE,

Petitioner,

-v-

NEW YORK CITY, (CORPORATION
COUNSEL) , NEW YORK CITY DEPARTMENT
OF CORRECTION'S COMMISSIONER DR.
DORA B. SCHRIRO (WARDEN), EVELYN
MIRABAL (WARDEN), JUAN QUINONEZ,
(CORRECTIONAL OFFICER)-MITCHELL,
SHIELD #9627-TOUR 7:00AM 3:00PM,
(CORRECTIONAL OFFICER) LEON,
SHIELD #18527 TOUR 7:00-3:00PM,

Defendants.
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10-cv-3102 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

On September 24, 2014, Magistrate Judge Michael H. Dolinger issued a Report and Recommendation in the above-captioned matter recommending that the Court grant defendants' motion for summary judgment and deny plaintiff's cross-motion for summary judgment.

Plaintiff has failed to file any objection to the Report and Recommendation after receiving notice that he was required to file any objections and that a failure to do so would result in a waiver of his right to further review. For that reason alone, petitioner has waived any right to review by this Court. See Thomas v. Arn, 474 U.S. 140, 147-48 (1985); Zaretsky v. Maxi-Aids, Inc., 529 F. App'x 97, 98 (2d Cir. 2013) (summary order); Small v. Sec'y of Health & Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

Accordingly, the Court hereby adopts the Report and Recommendation, and, for the reasons therein, grants defendants' motion for summary judgment and denies plaintiff's cross-motion for summary judgment. Clerk to enter judgment.

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
February 10, 2015